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DCI/IC 75-3990

5 JUL 1975

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : CIA Legislative Needs

1. Attached is a very thoughtful paper prepared as part of our "Issues and Actions" series by OGC. The issues addressed are legislative proposals to ensure foreign intelligence activities are conducted with due respect to constitutional rights of citizens. In its development, the paper expanded considerably, and Part B "Core Activities" on pages 4 through 21 lists 43 activities concerning which the CIA requires operating authority.
2. I invite your attention to this paper even though it is not in finished form.
3. What I suggest you do is use the "Core Activities" section as a formal handout to be presented by you during your upcoming appearances before the Senate and House Select Committees.
4. This would require revision of the first part of the paper and revision of Part C, "Agency Legislative Suggestions," pages 21-22 to make Part C considerably more forthcoming in tone.
5. Your comments would be appreciated.

/s/ Samuel V. Wilson

Samuel V. Wilson  
Lieutenant General, USA  
Chairman, Action Plan Task Group

Attachment:  
As Stated

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**(5 December 1975)**

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December 5, 1975

ISSUE, OPTIONS, AND ACTIONS

PAPER NO. VI

Issue:

How can this Agency prepare for, and effectively address, legislative proposals which would seek to insure that foreign intelligence activities are conducted with due respect for constitutional rights of American citizens?

Congressional Committee Positions:

In view of the scope of the congressional investigations, the amount of time which has been spent, and the publicity which has been generated, it would be difficult, on political grounds alone, for the Congress to avoid enacting some legislation, if only to reassure the American people that their rights are being protected and that the legislative branch is now "in control" of the situation. In addition, the focus on "abuse" areas by both the House and Senate Select Committees is strong indication that corrective legislation is contemplated.

Options:

1. This Agency can attempt to anticipate legislative proposals establishing restrictions on foreign intelligence activities and can examine the impact which such legislative restrictions would have on the effectiveness of the United States foreign intelligence effort. A number of possible bills are listed in section A of the attached memorandum.

2. Given the creativity of the Congress in proposing new legislation, it seems less profitable to speculate about possible bills than to define core Agency interests which either involve activities within the United States or involve United States citizens. Any proposed legislation could then be measured against this core list and only to the extent that a bill impacted on such

core interests would this Agency actively seek a revision of that bill. In addition, the Agency might seek legislation expressly authorizing certain of these core activities. These core activities or interests and the impact of legislative restrictions are presented in section B of the attached memorandum.

3. This Agency might adopt an active rather than a reactive stance toward possible legislation. Instead of merely evaluating the impact of legislative proposals, the Agency itself might suggest legislation which would serve the interest of Congress by reassuring the American people that the intelligence community is operating within carefully controlled boundaries while at the same time ensuring that legislation does not erode this Agency's capability to perform its statutory duties. The kinds of legislation which this Agency might recommend are very briefly outlined in section C of the attached memorandum.

Proposed Action:

1. The Deputy Directors should order the list of core activities into five levels of importance. These judgments when aggregated would indicate with a fair degree of precision the relative value or importance of each activity and assist the DCI and the Office of Legislative Counsel to undertake an educational effort proportional to the importance of the activity. The ranked list could then be given to the Director to be used, as the opportunity arises, to articulate and explain the authorities which this Agency requires. The list should also be sent to the Office of Legislative Counsel to be used as an aid in commenting on proposed legislation.

2. The proposed legislation in section C should be reviewed and possibly expanded. When a final list is compiled, the Office of General Counsel and the Office of Legislative Counsel in consultation with the directorates should be authorized to frame legislation pursuant to Option 3.

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INTELLIGENCE COMMUNITY STAFF

22 August 1975

25X1 NOTE FOR [REDACTED]

Reference is the attached memorandum from Dr. Proctor to General Wilson concerning a review of the [REDACTED] and the copy of the internal State notice to INR "reprogramming" - read "eliminating" - the [REDACTED]

Please pick up the action and have a report ready for Gen Wilson on his return.

What we are seeking is a review of the value of the program which can be used as a basis for a possible reclama to State by the DCI to retain the State Department participation in the program and restoration of [REDACTED]

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As Proctor indicates, OGCR runs the program and should be able to provide most of the information you will need.

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**ACTION**

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